



Access to Justice Act 1999

1999 CHAPTER 22

PART V

MAGISTRATES AND MAGISTRATES' COURTS

Territorial organisation

75 Petty sessions areas

- (1) For section 4 of the Justices of the Peace Act 1997 (petty sessions areas and petty sessional divisions) substitute—

“4 Petty sessions areas

- (1) England and Wales shall also be divided into areas known as petty sessions areas.
 - (2) The areas and their names shall be as specified by the Lord Chancellor by order made by statutory instrument.
 - (3) Each petty sessions area shall consist of either—
 - (a) the whole of a commission area; or
 - (b) an area wholly included within a commission area.”
- (2) For section 33 of that Act (functions of magistrates' courts committee as to petty sessional divisions and related procedure) substitute—

“33 Alteration of petty sessions areas

- (1) A magistrates' courts committee may at any time submit to the Lord Chancellor a draft order which makes an alteration of a petty sessions area for which they are the committee.

Status: This is the original version (as it was originally enacted).

- (2) A magistrates' courts committee shall, if directed to do so by the Lord Chancellor, consider whether any alteration is required to any petty sessions area for which they are the committee and, on completion of its consideration, shall submit to the Lord Chancellor either—
 - (a) a draft order under subsection (1) above; or
 - (b) a report giving reasons for no alteration.
 - (3) The Lord Chancellor may only make an order under section 4(2) above which makes an alteration of a petty sessions area where—
 - (a) the magistrates' courts committee for the area have submitted a draft order to him under subsection (1) above and the alteration made by the order is in the terms of the draft or subject only to such modifications as the Lord Chancellor thinks fit;
 - (b) a magistrates' courts committee fail to comply within six months with a direction of the Lord Chancellor under subsection (2) above or he is dissatisfied with the draft order or report submitted in pursuance of such a direction; or
 - (c) the alteration is consequential on an order under section 1(2) or 27A(2) above.
 - (4) An order under section 4(2) above which makes an alteration of a petty sessions area may contain such consequential and transitional provisions as appear to the Lord Chancellor to be necessary or expedient.
 - (5) In this section and section 34 below references to the alteration of a petty sessions area include (as well as a change in the boundaries of the area)—
 - (a) the combination of the area with another petty sessions area;
 - (b) the division of the area between two or more petty sessions areas; and
 - (c) changing the name of the area.”
- (3) In section 34 of that Act (procedure relating to alteration of petty sessions areas)—
- (a) in subsection (1) (consultation), after “any” insert “petty sessions”;
 - (b) in subsection (3) (copies of proposals), for “section 33 above about any area” substitute “section 4(2) above which makes an alteration of a petty sessions area”, and
 - (c) in subsection (4) (objections and inquiry), for “section 33 above” substitute “section 4(2) above which makes an alteration of a petty sessions area,”.